

October 26, 2000

designed to revise and improve the standards applied to petitions for compensating injuries associated with vaccines administered to children when the claims are deemed not to be covered by the "Vaccine Table." The Table is used in the program to create presumptions favoring compensation coverage under very limited circumstances and pursuant to specific criteria.

Mr. Speaker, I have chaired oversight hearings of the House Subcommittee on Criminal Justice, Drug Policy and Human Resources devoted to problems and issues in the National Vaccine Injury Compensation Program. Our full committee, the House Committee on Government Reform, also has been actively engaged in oversight of this important program. As a product of our hearings and extensive oversight activities, members of the subcommittee and full committee in a bipartisan manner and without objection, passed on October 5, 2000, the report entitled; "The Vaccine Injury Compensation Program: Addressing the Needs and Improving Practices."

Among the recommendations of this report is the need to devise an alternative standard for determining compensation for petitioners who claim vaccine-related injuries, but whose petitions are not covered by the Vaccine Table. As the report correctly explains, Congress recognized deficiencies in scientific studies on the topic of vaccine-related injuries, and intended to provide a fair and reasonable opportunity for petitioners to demonstrate vaccine-relatedness. If a significant relationship or association could be proven, compensation coverage was intended. Regrettably, the current wording of the statute has been interpreted and applied in a manner that requires a traditional tort "causation" legal analysis. If the traditional legal approach had been intended, Congress would simply have allowed these cases to be resolved through traditional tort liability litigation. That was not the desire of Congress when the program was established; it is not the desire of Congress today. Accordingly, a revision to the petition standards is needed to ensure that reasonable and fair determinations of vaccine association and relatedness are provided. That is precisely what this legislation does. It does not address various other reforms—some favored by the involved federal agencies and some not, some needed and some not—that are intended to improve the program further. The focus of this bill is simply to revise and clarify the standard used in adjudicating certain petitions. This reform will foreclose the practice of effectively denying petitions when scientific studies do not squarely address the specific circumstances presented, and will provide a reasonable, fair and appropriately flexible standard for examining evidence and determining vaccine injury compensation coverage.

The revised language of this legislation provides an approach and standard for coverage that is similar to that used in determining medical treatment benefits to veterans who claim illnesses presumed to be related to exposures to Agent Orange.

EXTENSIONS OF REMARKS

HONORING JUDGE JACK PIERCE

HON. MAX SANDLIN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 26, 2000

Mr. SANDLIN. Mr. Speaker, today I honor a man who is a devoted American, a great Texan and a great friend. I stand here today to recognize The Honorable Jack Pierce for his outstanding service as District Judge in Nacogdoches, Texas. His approaching retirement on December 31, 2000, will mark the end of an exceptional career.

Judge Pierce presided over the 145th Judicial District Court as District Judge for 37 years and 4 months, serving as the longest seated judge in the history of Texas. Appointed by Governor John Connally on August 31, 1963, Judge Pierce will always be known for his exemplary public service.

My friend Jack has roots deep in Nacogdoches. He graduated from Nacogdoches High School and received his bachelor's degree from Stephen F. Austin State University. After graduating from law school at Baylor University in 1958, he returned to Nacogdoches to start a family with Willene Bird, his wife of 32 years. He and his wife raised two daughters while his career began to soar.

Remarkably, this distinguished jurist won nine consecutive elections as District Judge. During his progressive tenure, Judge Pierce made great contributions to the court system in Nacogdoches. He was the first local judge to name a woman to the Nacogdoches Grand Jury Commission. He created the "Ninety Day Guarantee" for court trials in the county, and he established the law library at the Nacogdoches County Courthouse. His record speaks volumes about his convictions and his commitment to always do the right thing.

Although well known for his professional success, many people know Jack Pierce for his contributions outside the courtroom. An active member of Fredonia Hill Baptist Church, Judge Pierce served on the pastoral selection committees and was chosen as Outstanding Father in 1991. He was chairman of the Attoyac District Boy Scouts of East Texas, and received the Silver Beaver Award for adult leadership. Presently, he advances community improvement through memberships in the Kiwanis Club and the Nacogdoches Booster Club.

At the end of this year, Judge Pierce will hang up his hat, but I know this will not be the last we see of this great man. He knows the value of investing in the community, and the city of Nacogdoches is a better place for it. I am grateful for his dedication to the community through the years—his service has not gone unnoticed. Mr. Speaker, it is an honor for me to stand before you today to pay my respects to one of America's greats, Judge Jack Pierce.

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TRIBUTE TO KATHY REED ON HER RETIREMENT

HON. JIM NUSSLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 26, 2000

Mr. NUSSLE. Mr. Speaker, today I rise to bring special attention to someone who has been a great asset to my District and me for the past nine years. After nine years of service and dedication to the people of Iowa's Second District, my District Representative for Clayton, Dubuque and Jackson counties has announced her retirement for the end of this year. Kathy Reed has been a loyal and dedicated employee, and someone I am proud to have worked with over the years.

Kathy has been no ordinary District Representative. Everyone who comes into contact with Kathy takes an immediate liking to her. Her extraordinary sense of humor has helped her through some difficult times on the job. Once, on a hot July day Kathy and I were scheduled to tour an agriculture processing plant. Afterward we were scheduled for several meetings with my constituents. Needless to say, the hot weather mixed with the aroma of the plant did not make for a good combination. Kathy's remarkable sense of humor allowed her to get through the experience and the potential embarrassment when we left the plant to attend our next meeting. You might say we left the plant, but the plant did not leave us!

Kathy is one of those rare people who when people see her walk through the door they immediately have a smile on their face. Rarely is she greeted with just a handshake or a simple hello. More often than not the people in the community greet her with a hug. She has a true gift for connecting with people.

Not only will the people of the Second District miss Kathy, but her co-workers and I will especially feel her absence. Some on my staff have had the privilege of working with Kathy for the entire past nine years, and some have worked with her for a much shorter period. Regardless of the amount of time spent working with Kathy, everyone on my staff is able to agree on one thing. Kathy always brings out the positives in any situation and is able to find a silver lining in even the most negative circumstances. For the past several years Kathy has undertaken a project to help her co-workers and me remember the positive aspects of our job. Each month Kathy compiles all the "thank you" notes, e-mails and messages that come to all of my offices. She then forwards them to all her co-workers and me. This is a good example of this facet of her personality. It can be easy to let the negative comments and situation influence us, but every month the "thank-you's" have reminded us of the positive impact our work can sometimes have on the people of the Second District.

Kathy Reed will indeed be missed by not only the people of the Second District, but especially by her co-workers and me. I wish Kathy nothing but the best as she enters this exciting phase of her life. She and her husband Chuck plan to travel the country and spend plenty quality time with their children.